

AMENDMENTS TO THE SPECIFICATION

Page 3, first full paragraph, delete in its entirety, and replace with the following:

FIG. 2 shows a section through the soft-pack packaging machine along line II-II (FIG. 1) through one of the testing shafts 13, with the result that the interior of this testing shaft 13 is illustrated with the cigarettes 12 contained therein. Provided upstream of the soft-pack packaging machine is a moveable testing element 20 with a number of push rods 21 for testing the tobacco end sides of the cigarettes 12. The testing element comprises a housing, through which the push rods 21 project outwards. A guide for the push rods 21 is provided within the housing. Also provided within the housing are means 23, e.g. an induction coil, for triggering ~~the-an~~ actuating signal when the push rod 21 is deflected (i.e., displaced), and also electronics for storing or processing, and then transmitting the or each actuating signal. The testing element 20 is depicted in FIG. 1 by the chain-dotted contour in front of the individual testing shafts 13, above the respective pressure-exerting slides 14. The testing element 20 executes an oscillating movement (i.e., displacement or deflection), with the result that it moves towards the cigarettes 12 (forward movement) and, in the process, the ends of the push rods 21 strike against the end sides of the cigarettes 12, as a result of which the push rods 21 are deflected (displaced). Following this testing, the testing element 20 moves away from the cigarettes 12 again (rearward movement), with the result that the cigarettes 12 are released again. The forward and rearward movement (displacement or deflection) of the testing element 20 is illustrated by the double arrow. During the forward movement of the testing element the cigarettes 12 are pressed against a rear wall of

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/700,059

the testing shaft 13, thus resulting in a defined position for all simultaneously checked cigarettes 12.

Page 3, last paragraph (spanning pages 3 and 4), delete in its entirety, and replace with the following:

If a push rod 21 strikes against a cigarette 12 during the forward movement (displacement or deflection) of the checking element 20 and is deflected (displaced) by a certain distance in the process, an electrically detectable signal (the actuating signal) is generated for this push rod 21. Details regarding the generation of the actuating signal can be gathered from U.S. Pat. No. 6,508,138, filed for the same applicant. If a cigarette 12 has not been completely filled with tobacco, the push rod 21 which strikes against this cigarette 12 is deflected (displaced) at a later stage, i.e. at a different position of the testing element 20, than a push rod 21 which strikes against an ordinary cigarette. Correspondingly, in such a case, the actuating signal is then also triggered at a later stage, i.e. at a different position of the testing element 20.

Please delete the Abstract and insert the following new Abstract of the Disclosure.

Abstract
(in conjunction with Fig. 2)

ABSTRACT OF THE DISCLOSURE

The invention provides a A process for checking rod-like articles, in particular cigarettes (12), and an apparatus which is suitable for carrying out the process, a moveable testing element (20) (20), with mounted push rods (21) displaceable in the axial direction being moved in the direction of the articles articles, and the ~~or~~ each push rod (21) being ~~deflected~~ displaced as it strikes against an article and an electrically evaluable signal - actuating signal (31) - being generated as a result and, upon generation of the actuating signal (31), the position of the testing element (20) is determined determined, and the determined position is evaluated